

Docket No.: 5800-0101PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Antonio Reyes RUIZ

Application No.: 10/583,325

Confirmation No.: 3236

Filed: June 16, 2006

Art Unit: 3633

For: STRUCTURAL ELEMENT FOR THE  
CONSTRUCTION OF BUILDINGS

Examiner: Omar F. Hijaz

**RESPONSE TO FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Madam:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated January 27, 2009, please amend the above-identified U.S. patent application as follows:

**Claim Amendments** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.

AMENDMENTS TO THE CLAIMS

1-15. (Cancelled)

16. (New) A structural member for connection to a cast panel having internal reinforcement, said structural member comprising:

a first element having a generally C-shaped cross section including first and second generally parallel faces spaced from each other by a third intermediate face;

a plurality of apertures spaced equidistantly on at least one of said faces;

a second element comprising a continuous strip with a plurality of angular folds spaced along said strip to form folded portions spaced equidistantly from each other;

said second element being positioned within said first element with substantially the entirety of said strip between said folded portions positioned within said first element and substantially the entirety of said strip at said folded portions projecting outwardly through respective apertures of the C-shaped first element and then returning to within said first element through each of said apertures;

said folded portions of said second element being adapted to be connected to the internal reinforcement of a cast panel.

17. (New) The structural member for connection to a cast panel according to claim 16, wherein said plurality of apertures are formed in said first face or said second face of said first element.

18. (New) The structural member for connection to a cast panel according to claim 16, wherein the folded portions of said second element are generally triangular in shape.

19. (New) The structural member for connection to a cast panel according to Claim 16, wherein the folded portions of said second element comprise perforations for receiving a portion of the internal reinforcement of a cast panel to thereby connect said structural member to the cast panel.

20. (New) The structural member for connection to a cast panel according to Claim 18, wherein adjoining portions of the said triangular folded portions of said second element comprise perforations for receiving a portion of the internal reinforcement of a cast panel to thereby connect said structural member to the cast panel.

21. (New) The structural member according to claim 16, connected by said folded portions to a cast panel thereby forming an element for the construction of a building.

22. (New) The structural member connected to a cast panel according to claim 21, in the form of a slab or wall which can function as a beam or column of the construction.

23. (New) The structural member for connection to a cast panel according to claim 16, wherein at least said second element is formed of metal.

24. (New) The structural member for connection to a cast panel according to claim 16, wherein said first and second elements are formed of metal.

25. (New) A structural member for connection to a cast panel having internal reinforcement, said structural member comprising:

a first element having a plurality of faces;

a plurality of apertures spaced equidistantly on at least one of said faces;

a second element comprising a continuous strip with a plurality of angular folds spaced along said strip to form folded portions spaced equidistantly from each other;

said second element being positioned within said first element with substantially the entirety of said strip between said folded portions positioned within said first element and substantially the entirety of said strip at said folded portions projecting outwardly through respective apertures of the first element and then returning to within said first element through each of said apertures;

said folded portions of said second element being adapted to be connected to the internal reinforcement of a cast panel.

26. (New) The structural member according to claim 25, connected by said folded portions to a cast panel thereby forming an element for the construction of a building.

27. (New) A structural member for connection to a cast panel having internal reinforcement, said structural member comprising:

a first element having a generally C-shaped cross section including first and second generally parallel faces spaced from each other by a third intermediate face;

a plurality of apertures spaced equidistantly on at least one of said faces;

a second element comprising a continuous strip with a plurality of angular folds spaced along said strip to form folded portions spaced equidistantly from each other;

said second element being positioned within said first element with substantially the entirety of said strip between said folded portions positioned within said first element and substantially the entirety of said strip at said folded portions projecting outwardly through respective apertures of the C-shaped first element.

**REMARKS**

This amendment is responsive to the Office Action dated January 27, 2009 in connection with the above-identified application. Claims 1-15 have been cancelled. Claims 16-27 are pending.

Applicant gratefully acknowledges the courtesies extended by Examiners Hijaz and Glessner in telephone interviews conducted on February 25 and March 3, 2009.

More particularly, in a telephone interview on February 25, 2009, it was argued on behalf of Applicant that the references relied upon did not fairly suggest the subject matter of certain claims presented for consideration at that time. It was acknowledged that Ruiz et al. USP 5,414,972 appears to be the closest prior art to the present invention. However, Ruiz et al '972 does not disclose the present invention. Additionally, the reference to Fordyce is somewhat non-analogous in that it relates to a structure which is distinctly different from, and used for a different purpose than the present invention. It was further argued that, absent the present disclosure, one of ordinary skill in the art would not look to Fordyce for any teaching applicable to the structure of Ruiz et al. '972.

In view of the discussion on February 25, 2009, present claims 16-27 were proposed. Each independent claim recites subject matter which is patentably distinguished from the references relied upon, viewed individually or in combination with each other. In a telephone discussion on March 3, 2009, Examiner Hijaz indicated that this amendment, presenting claims 16-27 would be entered and the claims would be allowed.

Applicant again gratefully acknowledges the cooperative effort on the part of Examiner Hijaz and Examiner Glessner.

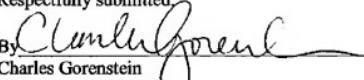
For the foregoing reasons, it is respectfully submitted that claims 16-27 are allowable and the application is in condition for allowance. Favorable consideration is respectfully solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Charles Gorenstein, Reg. No. 29,271 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: March 5, 2009

Respectfully submitted,

By   
Charles Gorenstein  
Registration No.: 29,271  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant